

## UNITED STATES DISTRICT COURT

for the

Northern District of Texas

DEPUTY CLERK

AA

2017 OCT -3 PM 2:56

Patricia I. Callins

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Swift Transportation Co., LLC

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. 3:17-cv-01975-c-BN

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

## COMPLAINT FOR EMPLOYMENT DISCRIMINATION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Patricia I. Callins</u>	
Street Address	<u>4725 Forbes Court</u>	<u>P.O.Box 226225</u>
City and County	<u>Fort Worth, Tarrant</u>	<u>Dallas, Dallas</u>
State and Zip Code	<u>Texas 76105</u>	<u>Texas 75222</u>
Telephone Number	<u>817 902-9962</u>	
E-mail Address	<u>ipc2u2@gmail.com</u>	

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name	Swift Transportation Co., LLC			
Job or Title <i>(if known)</i>				
Street Address	2200 S. 75th Ave.	%Corporate Cost Control Inc	3470 Windmill Rd	311 Walton Blvd
City and County	Phoenix,	P.O.Box 1180, Londonderry	Cleburne	Bentonville
State and Zip Code	Arizona, 85043	NH, 03053-1180	Texas, 76033	Arizona, 72716
Telephone Number	602 269-9700		817 760-4324	
E-mail Address <i>(if known)</i>				

## Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

**C. Place of Employment**

The address at which I sought employment or was employed by the defendant(s) is

Name	Swift Transportation Co.
Street Address	3470 Windmill Rd.
City and County	Cleburne
State and Zip Code	Texas, 76033
Telephone Number	817 760-4324

**II. Basis for Jurisdiction**

This action is brought for discrimination in employment pursuant to *(check all that apply)*:



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

*(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

*(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)*



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

*(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*



Other federal law *(specify the federal law)*:



Relevant state law *(specify, if known)*:



Relevant city or county law *(specify, if known)*:

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

☐

Failure to hire me.

☒

Termination of my employment.

☐

Failure to promote me.

☐

Failure to accommodate my disability.

☒

Unequal terms and conditions of my employment.

☒

Retaliation.

☒

Other acts *(specify)*:

Accusation of Misconduct, Defamation, Slander, Subjected to Breach of Conduct, subject to danger

*(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)*

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

Jan 2 2015, Jan 31 2015, Feb 4 2015, Mar 27 2015, Jun 16 2015, Jun 24 2015, Jul 16 2016, Jul 20 2015, Oct 26 2016, Mar 7 2016, Dec 3 2015, present day

C. I believe that defendant(s) *(check one)*:

☒

is/are still committing these acts against me.

☐

is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

☒

race

I am Black American

☐

color

☒

gender/sex

I am female

☐

religion

☐

national origin

☐

age *(year of birth)*

*(only when asserting a claim of age discrimination.)*

☐

disability or perceived disability *(specify disability)*

E. The facts of my case are as follows. Attach additional pages if needed.

The fact is that the defendant terminated my employment under false and unfounded information, falsely accused me of misconduct, made false statements about my character and driving record to other employees, Swift administrators, other related administrators and potential employers.

Case 3:17-cv-01975-C-BN Document 14-1 4 of 6 attachment 1 of 2

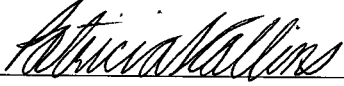
### **III. STATEMENT OF CLAIM**

1. I am entitled to damages sought because the DEFENDANT accused me of misconduct on Jan. 2, 2015, in the Performance Counseling Report, (PCR).
2. Damages sought because the DEFENDANT accused me of being rude to store manager on Jan 31, 2015, and stated to bar me from that route which potential to earn more income.
3. Damages sought because the DEFENDANT stated that on Feb. 4, 2015, I supposedly had heard some employees talking, then became belligerent and loud. Employees told defendant to remove me from that route.
4. Damages sought because the DEFENDANT accused me of using offensive and abusive language on March 27, 2015.
5. Damages sought because the DEFENDANT used unfair and unequal treatment issuing routes on Jun 16, 2015.
6. Damages sought because the DEFENDANT accused of cursing, Misconduct, subjected to threats by store manager, subjected to Breach of Contract during delivery and in route to another delivery on Jun 24, 2015.
7. Damages sought because the DEFENDANT accused of Breach of Contract and Misconduct of delivery route, brought on by bad and unsafe conditions of the trucks on July 16, 2017.
8. Damages sought because the DEFENDANT accused me of misconduct by not working on scheduled work day, per July 20, 2015 PCR.
9. Damages sought because the DEFENDANT terminated me from employment Oct 26, 2016 stating reason:
  - 10/25/2014 preventable right turn crash in Pantego, Tx.
  - 10/ 6 /2015 preventable rear-end crash in Ft. Worth, Tx.
10. Damages sought because the DEFENDANT made false accusations and statements to Texas Workforce Commission which lead to determination decision of Denial of Unemployment Benefits.

Case 3:17-cv-01975-C-BN Document 14-1 4 of 6 attachment 2 of 2

11. Damages sought because the DEFENDANT subjected my CDL driving record to untrue and negative incident information in which viewed by potential employers, and in seeking references, depicts or represents negative results for me.
12. Damages sought because the DEFENDANT issued more lucrative routes to White, (Caucasian), men and white, (Caucasian), women, and barred me from certain routes.
13. Damages sought because the DEFENDANT continues to declare that I acted with Misconduct while employed with them, and they continue to discredit my service, reputation, by giving false reference statements to potential employers of whom which I seek to continue fulfillment of my career and life.

Dated 10/03/17

Signed 

Printed Name Patricia I. Callins

The defendant ensited to Texas Workforce Commission giving false, and accusatory information, which resulted in denial of Unemployment Benifits.

The defendant disallowed, kept back, ejected, refused, withheld, from me, the opportunity for better and equal routes that would lead to better and equal pay.

The defendant applied unfair and different treatment towards me.

The defendant subjected me to incidents of Breach of Contract.

The defendant subjected me to threats from work related management and endanger

The defendant subjected me to dangerous driving conditions and dangerous driving equipment.

*(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)*

#### IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

July 13, 2015

July 27, 2017

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 5/26/2017 and 7/27/2017

*(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)*

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

#### V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Damages I ask the court to order the amount to \$300,000.00. Actual damages are 45,000.00 per year for earnings, loss of \$3,000.00 vacation pay per year, \$3,000.00 potential bonus, potential 10% of income towards 401K, \$25,000.00 loss 401K from previous employment used for support, loss of potential overtime, potential merit increase, cost of living increase, loss from defamation, slander, credibility, loss of career, loss of support, credibility, and trust with family, health benefits, tenure and experience, and for time loss, pain and suffering and emotional distress. Also, I ask the court to order the amount of \$1,000,000.00 punitive damages, for, this negative, blatantly offensive to civil rights mistreatment was unwarranted, unlawful, and just plain wrong to a life, a support, a being, a contribution of which to add as a positive and integral part to society, which has now been taken away by the defendant.

<b>CHARGE OF DISCRIMINATION</b> <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To:      Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA  <input checked="" type="checkbox"/> EEOC         </div> <div style="text-align: right;"> <b>846-2015-31710</b> </div> </div>	
<b>Texas Workforce Commission Civil Rights Division</b> and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr., Ms., Mrs.) <b>Patricia I. Callins</b>		Home Phone (Incl. Area Code) <b>(817) 902-9962</b>	
Date of Birth <b>05-16-1955</b>			
Street Address      City, State and ZIP Code <b>Po Box 226225, Dallas, TX 75222</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>SWIFT TRANSPORATION</b>		No. Employees, Members      Phone No. (Include Area Code) <div style="display: flex; justify-content: space-between;"> <div> <b>500 or More</b> </div> <div> <b>(602) 269-9700</b> </div> </div>	
Street Address      City, State and ZIP Code <b>3470 Windmill Road, Cleburne, TX 76033</b>		No. Employees, Members      Phone No. (Include Area Code) <b>EQUAL EMPLOYMENT</b> <b>OPPORTUNITY COMMISSION</b> <b>DALLAS DISTRICT</b>	
Street Address      City, State and ZIP Code		DATE(S) DISCRIMINATION TOOK PLACE Earliest      Latest <b>06-24-2015      06-24-2015</b> <input type="checkbox"/> CONTINUING ACTION	
DISCRIMINATION BASED ON (Check appropriate box(es).) <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input checked="" type="checkbox"/> RACE</div> <div style="width: 50%;"><input type="checkbox"/> COLOR</div> <div style="width: 50%;"><input checked="" type="checkbox"/> SEX</div> <div style="width: 50%;"><input type="checkbox"/> RELIGION</div> <div style="width: 50%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 50%;"><input type="checkbox"/> RETALIATION</div> <div style="width: 50%;"><input type="checkbox"/> AGE</div> <div style="width: 50%;"><input type="checkbox"/> DISABILITY</div> <div style="width: 50%;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="width: 50%;"><input type="checkbox"/> OTHER (Specify)</div> </div>		THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <b>I. PERSONAL HARM:</b> A. On June 26, 2015, I complained about Byrd's behavior and also that Respondent routinely puts African Americans on the less financially beneficial routes. I am aware that individuals outside of my protected status are given the better routes. <b>II. RESPONDENT'S REASON FOR ADVERSE ACTION:</b> A. Respondent did not give a reason for its actions. <b>III. DISCRIMINATION STATEMENT:</b> I believe that I was discriminated against because of sex (female) and my race (African American) in violation of Title VII of the Civil Rights Act of 1964, as amended.	

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct. <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div> <b>Jul 13, 2015</b>  <small>Date</small> </div> <div>   <small>Charging Party Signature</small> </div> </div>	NOTARY - When necessary for State and Local Agency Requirements <div style="text-align: center; margin-top: 10px;">           I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.          SIGNATURE OF COMPLAINANT            SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE          (month, day, year)  <b>7/13/15</b> </div>
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**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA☒ EEOC**450-2015-03175****Texas Workforce Commission Civil Rights Division**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

**Patricia I. Callins**

Home Phone (Incl. Area Code)

**(817) 902-9962**

Date of Birth

**05-16-1955**

Street Address

City, State and ZIP Code

**Po Box 226225, Dallas, TX 75222**

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

**WAL-MART**

No. Employees, Members

Phone No. (Include Area Code)

**500 or more (817) 400-7500**

Street Address

City, State and ZIP Code

**150 North Interstate 35 East, Lancaster, TX 75134**

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

**RECEIVED**  
JUL 13 2015  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
DALLAS DISTRICT

DISCRIMINATION BASED ON (Check appropriate box(es).)

DATE(S) DISCRIMINATION TOOK PLACE

☒ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN

Earliest

Latest

**06-24-2015****06-24-2015**

☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ GENETIC INFORMATION

☐ OTHER (Specify)☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

**I. PERSONAL HARM:**

- A. On June 26, 2015, I was yelled at by Store Manager Chris Byrd and instructed to pick up merchandise that had fallen and to restack the pallet. Drivers are not allowed to touch the merchandise. I am aware that black or white males and white females are not instructed to assist with stacking pallets.
- B. On June 26, 2015, I complained about Byrd's behavior and also that Respondent routinely instructs Swift to give African Americans the less financially beneficial routes. I am aware that individuals outside of my protected status are given the better routes.

**II. RESPONDENT'S REASON FOR ADVERSE ACTION:**

- A. Respondent did not give a reason for its actions.

**III. DISCRIMINATION STATEMENT:**

I believe that I was discriminated against because of sex (female) and my race (African American) in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

**Jul 13, 2015**

Date

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

*Notary Signature*  
I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.


SIGNATURE OF COMPLAINANT

*Patricia Callins*  
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

**7/13/15****Exhibit A**

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>		Charge Presented To: Agency(ies) Charge No(s):	
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
<b>Texas Workforce Commission Civil Rights Division</b>		<b>450-2017-03606</b>	
State or local Agency, if any			
Name (indicate Mr., Ms., Mrs.) <b>Patricia I. Callins</b>		Home Phone (Incl. Area Code) <b>(817) 902-9962</b>	Date of Birth <b>1955</b>
Street Address <b>4725 Forbes Court, Fort Worth, TX 76105</b>		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>SWIFT TRANSPORTATION CO.</b>		No. Employees, Members <b>500 or More</b>	Phone No. (Include Area Code) <b>(479) 204-5555</b>
Street Address <b>1604 Sparks Drive, Cleburne, TX 76033</b>		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es)) <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RACE</div> <div style="margin-right: 10px;"><input type="checkbox"/> COLOR</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> SEX</div> <div style="margin-right: 10px;"><input type="checkbox"/> RELIGION</div> <div style="margin-right: 10px;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> AGE</div> <div style="margin-right: 10px;"><input type="checkbox"/> DISABILITY</div> <div style="margin-right: 10px;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> OTHER (Specify)</div> </div>			
		DATE(S) DISCRIMINATION TOOK PLACE Earliest: <b>10-26-2015</b> Latest: <b>10-26-2015</b> <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p><b>I was hired with the above-referenced company on or about September 04, 2014, as a Professional CDL Driver. During my tenure, I performed my job duties satisfactorily.</b></p> <p><b>On October 25, 2014, within 60 days of hire date, I was charged with a preventable accident in which on September 24, 2015, during a driving review, this charge was deleted thru "fresh start", from my driving record.</b></p> <p><b>On October 6, 2015, I was involved in a truck accident that resulted in non-preventable accident. The company failed to conduct a proper investigation on my behalf and falsified information. As a result, I challenged the citations in court, which resulted in a dismissal of all citations. Nonetheless, the company indicated that I was a high risk driver and discharged me from my position.</b></p> <p><b>I believe I was discriminated against based on my race (Black), gender (female), and in retaliation for filing charges of discrimination against the company, in violation of Title VII of the Civil Rights Act of 1964, as amended.</b></p>			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.  I declare under penalty of perjury that the above is true and correct.	NOTARY – When necessary for State and Local Agency Requirements  I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  <div style="text-align: center;">   <b>Patricia I. Callins</b>          Charging Party Signature       </div>
Jul 27, 2017 Date	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)  <div style="text-align: center;"> <b>Jamila Mims</b>          Digitally signed by Jamila Mims          DN: cn=Jamila Mims, o=Dallas District Office, email=jamila.mims@eoc.gov, c=US          Date: 2017.07.27 09:25:25 -0500       </div>



I Callins &lt;ipc2u2@gmail.com&gt;

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**Additional Charges on claim 846-2015-31710 and 450-2015-03175**

1 message

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**I Callins** <ipc2u2@gmail.com>

Wed, Jan 20, 2016 at 3:32 PM

To: sandra.taylor@eeoc.gov

Additional Charges from Patricia Callins against Swift and Walmart

Attention Sandra Taylor:

I do not know who the investigative agent servicing me is, however, I am informing you of additional claims or charges against my former employer.

As reported previously, I was terminated on 10-26-2015 for an accident I had in the company truck, while on duty on 10-06-2015. This accident was at no fault, or non-preventable against me, however, I was charged with 2 tickets at the scene of the accident. I appealed the tickets on court date 01-14-2016 and Judge of court dismissed all charges of that accident, producing accident non-preventable, at no fault for me.

According to Swift Driver's Handbook, (page 76, under preventable crash), it states that "Every crash in which a driver is involved shall be considered Unpreventable until it is established by investigation and review that there was no option which a driver could have reasonably taken to avoid the crash and that his/her action in no way contributed to the occurrence of the crash."

(attached order of dismissals and copy of page 76 of Swift drivers handbook)

I am also inquiring whether I should file another charge against Swift for my termination from this accident which was not giving the opportunity to be investigated properly, and for disallowing my "unemployment benefits", my earned right to benefits, which helps in sustaining for life until gainfully employed.

Please let me know as soon as possible, so that I may file in a timely manner, and if possible, let me know my investigator contact person.

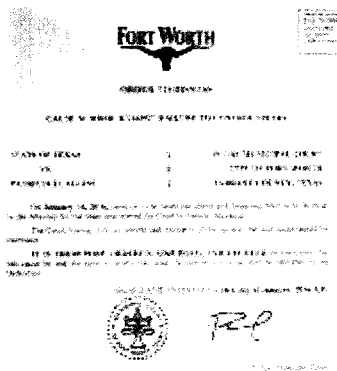
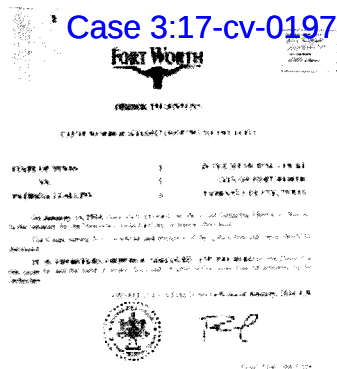
Thank you,

Patricia Callins  
Phone 817 902-9962  
address 4725 Forbes Court  
Fort Worth, Tx. 76105

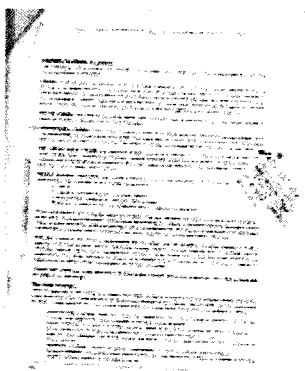
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**3 attachments**

**Tickets Dismissed-No Charges.JPG**



**Tickets Dismissed-No Charges2.JPG**  
309K



**Swift book pg 76 Unpreventable crash.JPG**  
841K

July 27, 2015

To: Naseer Duncan, naseer.duncan@ eeoc.gov phone 214 253-2781

From: Patricia Callins, phone 817 902-9962

Agency charge number 846-2015-31710 for Swift Transportation

Agency charge number 450-2015-03175 for Walmart

Mr. Duncan,

As mentioned in voice message that I left you, I am sending you the Retaliation write-up that Swift management gave to me on July 20, 2015

Attached is copies of :

Performance Counseling Report (PCR) FINAL WARNING from Swift management

Explanations of incidents by Date with routing information

Walmart Memo's and Survey sheets

In regards to Performance Counseling Report (PCR) all information written by Swift management is untrue, false information, and unfounded.

With all of these events, incidents, I request for security surveillance video.

1. FRIDAY 01/02/20015 store 2980

Incident with store manager Ron (last name unknown)

Arrived at store at 07:23. It took him some time to finally open the receiving area door. After I came into the store, mgr Ron was the only person in the receiving area. He finally started to unload the truck at 20:55, then told me to get a lift and start unloading. I told him, "No", and , We (drivers), have a , "No Touch Freight" policy. I left that area at 20:39.

I had another store to deliver to as well as to pick up a backhaul, (to pick up at a supplier), Conagra/ Americold.

I did not argue or curse. I always maintain a professional behavior.

(SEE ATTACHED COPY **EXHIBIT A / REQUEST FOR PULL AND REVIEW SURVEILLANCE VIDEO**)

Store manager request for me to be removed from route.

2. SATURDAY 01/31/2015 store 3274

Incident with store manager Latle (name spelling unclear/ last name unknown)

Arrived at store at 12:55. It took him some time to finally open the receiving area door. After I came into the receiving area door. There was only 1 store associate who began the unload of truck. I asked if there was someone else to help him unload because of quantity of pallets and little time left to get all unloaded. I advised him of time allotted for each unload. Mgr. was upset, but finally began to help the associate unload.

I had 2 other store to deliver to and a backhaul, Kraft Foods.

Page 2

I did not argue of curse. Always professionalism.

(SEE ATTACHED COPY **EXHIBIT B/ REQUEST FOR PULL AND REVIEW SURVEILLANCE VIDEO**)

Store manager request for me to be removed from route.

3. WEDNESDAY 02/04/2015 store 590

Continued search for 02/04/2014 paperwork

(SEE ATTACHED COPY **EXHIBIT C / REQUEST FOR PULL AND REVIEW SURVEILLANCE VIDEO**)

Store manager request for me to be removed from route.

No such route in my documents. See attached Exhibit C. Unconfirmed route for me.

4. FRIDAY 03/27/2015 Involves a 4 store route with 2 of which were curfew stores.

Curfew store means to be at that store or gone from that store at certain times, and could also have a noise ordinance.

Route 5123

Dispatched to a dirty truck. Had to clean the truck before begin and always truck Pre-inspect.

Left guard gate at 17:21.

1<sup>st</sup> Store 3392 Bedford, Tx. Small marketplace **Curfew** 7 pallets to deliver

THIS STORE HAS A **NOISE ORDINANCE**

**ATTENTION DRIVERS**

YOU CANNOT ARRIVE ON THE PREMISES AFTER 20:00 PM

---

2<sup>nd</sup> store 266 Grapevine, Tx Super Center 8 pallets to deliver

---

3<sup>RD</sup> Store 5985 Southlake, Tx. Small marketplace **Curfew** 3 pallets to deliver

THIS STORE HAS A **NOISE ORDINANCE**

**ATTENTION DRIVERS**

YOU CANNOT ARRIVE ON THE PREMISES AFTER 20:00 PM

---

4<sup>th</sup> store 3274 N. Richland Hills, Tx. Super Center 9 pallets to deliver

---

Arrived at 1<sup>st</sup> store 3392 at 19:03 4 dairy pallets and 3 frozen pallets. This store has to 1<sup>st</sup> pull out its 4 dairy pallets, then, take out 7 pallets that belong to the other stores and maneuver them to a place until store 3392 other 3 frozen pallets are taken out. It was difficult for them to find room in the store for those other pallets as well they needed to clean up yogurt which had fallen. This took them more time.



Page3

As they were still taking out pallets, I knew this would take them more time , so I called Swift dispatch at approx. 17:40. I spoke with Donna because Amber was not presently in the office, and advised her to call downstairs and let the Walmart Dispatch know if I should go to the next store, ( which would be store 266), since the curfew of the 3<sup>rd</sup> store would have passed, and for her to let me know.

I called the Swift dispatch back approx. 20:10, Donna answered and I asked to speak with Amber and asked her what was answer from Walmart dispatch. Donna told me that she did not call Walmart dispatch. I advised Amber of the situation, and that my paperwork stated that the curfew was at 20:00, as per my paperwork. She advised to me that the curfew was 21:00. I then told her that I had also asked for Donna to call Walmart dispatch and get disposition. Amber told me that the Walmart dispatch was not notified and that ,curfew is 21:00, and to go the curfew store 5985. The time was then approx. 20:25 I preceded to the curfew store 5985. I arrived approx. 21:02. I went to the receiving dock door and someone spoke from the inside and said that it was too late for delivery. I went back to the truck and a Southlake policeman drove in front of the truck. I had Amber on the phone as the policeman wrote the citation for violating the city ordinance. I was angry and advised Amber that that should have not have happened. I call for support from our Swift Support Office, and I get a ticket. I told her that that citation was in my name and that I am ultimately responsible

I did not curse, nor do anything unethical nor improper.

After completing my route, I returned to the Walmart dispatch office, and I asked the lady at the window, "What was the curfew at store 5985, and what exactly does the curfew mean?" That young lady was about to answer, when another lady in the back interceded, and just told me to go upstairs to the Swift dispatch office. I told her that upstairs gave me conflicting information as opposed to what my paperwork said. I was trying to explain to her what happened, she again told me to go upstairs. She interrupted me again as I was trying to tell them what happened and to get clarity on the curfew rules for that store. That second lady did not want to hear any of my concerns. I was not heard for the discrepancies from the 2 offices. I was not insulting, offensive, and did not use abusive language to any of those 2 ladies, and was only rightfully asking pertinent questions that my Swift dispatch was unknowing, untruthfully , and unsupportively unable to help me with.

(SEE ATTACHED COPY **EXHIBIT D / REQUEST FOR PULL AND REVIEW SURVEILLANCE VIDEO**)

5. I received a 02:50 a.m. route dispatch on 07/15/2015 evening, and was dispatched truck 120379. I always do my pre-inspection of the truck I am about to drive. There was severe hood mirror damage from a previous driver which was not properly turned in for repair. I turned the truck in to Donna for repair because damage prevented safe driving, a safety hazard. Donna and Juan issued me a second truck. Truck no. 122639. This truck did not have all of its proper updated insurance records, registration record, and FIFA paper, which all should be properly updated per DOT and Texas Law. Donna, nor Juan, knew how to get updated registration papers for that truck, so I told them to issue to me a 3<sup>rd</sup> truck. Truck no. 122067, which I had to make a service repair request because the brakes were very poor. Safety Hazard. I do my safety pre-inspection on all trucks that I am about to drive,, for me own safety, as well as for a DOT requirement and Swift requirement. Therefore, for that route, I did 3 pre-inspections early that morning, just to get a truck per the legal requirements.

Page 4

Had I driven that 1<sup>st</sup> or 2<sup>nd</sup> truck, being unsafe and/or illegal, I may have had an accident or have received a citation. Either way, I would have not been a professional driver.

The truck with the broken mirror should have been repaired before another driver drove it, and risk being unsafe, and not putting blame on me for route being late. The truck with the outdated paperwork should have been updated 6 months ago by management, and not putting blame on me for the route being late.

(SEE ATTACHED COPY **EXHIBIT E / REQUEST FOR PULL AND REVIEW SURVEILLANCE VIDEO**)

6. The balance of the PCR, being absent, reporting for work, and tardiness, are all unfounded. There were many days in which I gave my proper availability times, but was not called on for a route, and there were noted times when I was issued a truck that had already been written up for major safety hazard but was issued to me anyway, and there was a noted time that I was not paid for a backhaul late charge that I paid for, with my own money and have not gotten reimbursed, and noted time when I was placed on a Safety Hold, (not able to get a route and drive), due to that Swift office did not know how to correct the computer system.

See also, attached copies of Walmart memos, Walmart surveys that drivers must file out, and Swift forms.

Thank you,

Patricia Callins



## PERFORMANCE COUNSELING REPORT (PCR)

Employee Name: Patricia Callin  
 Employee ID #: 359023  
 Department / Terminal: Cleburne TX  
 Level of PCR : FINAL WARNING

### Reason for Counseling (Describe why performance and/or conduct are unsatisfactory. Cite policy, rule or expectation not followed.)

Friday 01/02/15 at store 2980. Driver had been arguing and cursing the store Manager. At the manager request please remove driver from route.

Saturday 1/31/15 Driver at store Wal Mart 3274, patricia had been very rude to the store manager: store manager asked how many pallets she was delivering, driver says "what is this 20 questions?" per store manager request that driver be removed from the route.

Wednesday 2/4/15 At store 590, driver called the store to have them open the delivery door. Patricia came around the corner over heard a conversation the manager was having to the unloader, became belligerent, and load to store manager and store associates. Per store manager please remove driver from route.

Friday 3/27/15 driver had gone to the Wal mart transportation office to wait on paperwork. Driver begin yelling at dispatch that Wal Mart need to get there stuff together, Wal Mart(dispatch) asked patricia to go upstairs to speak Swift OPS. Patricia yelled back stating, "you do not interrupt me, I'm trying to talk".

Per Company policy, "As a Driver of Swift use of insulting, offensive or abusive language or conduct towards others, including employees, Managers, or customers. (Driver Handbook, section 1, page 16)

Thursday 7/16/15, Patricia made it here 30 minutes after gate. She got a truck and left. She then called me 25 minutes later and told me that she needed a truck because the pass mirror was broken. So I Tcalled the load and gave her a new truck. Then she called me again at 0445 and said that the paperwork was out of date. We had to put her into another truck 2 hours past gate. She never left the yard until 0510. The late delivery of freight (Service Failure) causes problems for our customers, your fellow Drivers and your Driver Leader. When you are absent, others must perform your workload, just as you must assume the workload of others who are absent. Drivers are expected to report to work as scheduled, on time and prepared to start work. If you are unable to report for work on any particular day, you must call your Driver Leader as soon as possible before the time you are scheduled to begin working for that day. In all cases of absence or tardiness, Drivers must provide their Driver Leader with an honest reason or explanation. If you fail to report for work without any notification to your Driver Leader, you may be considered to have abandoned your employment with the Company." (Driver Handbook, Section 1, Pages 29 - 30)

### Corrective Action (Describe steps required to correct above, expectations going forward, and consequences if not met.)

Immediate and sustained improvement is required. In the future, if there is any reason Patricia cannot work on her scheduled day, dispatch must be notified in advance in order to provide timely service to our customer. We can not wait until the scheduled work day to find out that we are going to be short scheduled drivers. Future incidents of this nature

## Employee Comments

ALL UNTRUE, FALSE INFORMATION.  
RETALIATION FROM EEOC CLAIM.  
(REVIEW W/ EEOC)

Witness (Must be a Supervisor or Leader):

Forrest 3. J. J. J.

Date: 7-20-15

Leader Signature:

[Signature]

Date: 7-20-15

Performance improvement must be immediate and sustained. Recurrence of this problem or any other performance related problem(s) may lead to further disciplinary action, to include termination of employment. I understand I may submit a rebuttal to this Performance Counseling Report following the Complaint Procedure outlined in the Employee Handbook. My signature only acknowledges receipt of this Performance Counseling Report.

Employee Signature:

Refuse To Sign

Date: 7-20-15

June 18, 2015

To Swift-Wal-Mart Cleburne Terminal Administration

Attention to Terminal Leaders D.J. McCarty and Forrest:

Incident of Unequal treatment, as of June 16, 2015

On the date, June 16, 2015, I arrived to be dispatched to my routing assignment approximately 17:45 time.

As I approached the dispatch window, I was given node by Juan to come into office. I proceeded onward to get keys to tractor for dispatch. I lay keys on desk at window where Juan was sitting and acknowledged to him that that was keys to tractor for my dispatch. He quickly asked, "What are we doing?" and proceeded on to search into computer for info for me, and at the same time states "I don't know what to do, this is now my desk". Then he states, "It says that you are freed". At that moment, another gentleman approaches the dispatch window. This gentleman, I believe goes by the name of Don Johnson, driver. He then came into the office. I tell Juan, "Yes, I'm freed", and began to dance. Juan, immediately starts putting in information and gets outs paperwork for to dispatch Don Johnson.

I notice that Juan has directed his attention to dispatching Don Johnson, and I ask Juan as to why he is working on the other drivers dispatch and he's not finished with mine. Juan maintains stating that he does not know how to set up or work that computer system.

The next moment, Crystal intercedes, and says to me, "Ms Patricia, I have you on a 2<sup>nd</sup> load going 2 stop Dallas, and then to Rowlet". I acknowledge to her and say, "Yes, Thank You, the new gentleman had already called me and told me".

By this time, Juan has finished on the computer he says he did not know how to work, the dispatch to Don Johnson, and I ask to him again, "Why was he able to work and finish the other drivers info. , but was now able to do mine?". He again maintains that he did now know how to work that computer.

By this time, Crystal realizes that I am persistent in trying to find out why another gentleman was serviced ahead of me, intercedes again, and tells me, "Take it outside, cause I'm on the phone". I tell her "Yes, you are on the phone, and I'm talking to Juan". In an argumentative manor, Crystal begins to explain to me that, "He, (speaking of Juan), is with us". She also makes the comment that I was dancing.

Page 2

As that conversation with Crystal continues, Juan finally finishes my dispatch, the dispatch that he did not know how to do, the dispatch that he stopped working so as to start on another drivers dispatch.

I wanted to bring this matter to the attention of Swift workforce organization because it is truly is unacceptable to workplace practices to treat anyone unfairly and to maintain impartiality towards all employees. This is in direct violation of equal employment practices, and I will need for this to be investigated and reviewed.

I felt that my rights and business was set aside, for the preference to another driver. I felt viewed that my needs were not of value. I felt that my needs were not of importance for Crystal to have dismissed me. I was lead to believe that, I was not with the business of Swift Transportation, as when Crystal states, "He is with us"; AS IF I'M NOT WITH ANY ONE". She leads me to believe that she defends him, because he is with us, The Company, Swift, and I am not. As if I am just another person standing in the office, not a part of this organization.

I wish that you please review this matter, so that I may know as to what steps are put into place for resolution so that I may know steps of resolution for myself.

At this time, I am under the implied impression that Swift Transportation has an equal employment business practice, in the way that employees are treated, in the way that dispatch opportunities are offered to all drivers, and in the way that We, not just those working in the office, do business. I don't expect to be judged or treated differently, unequal, or impartial, just because I appear to be different, because I am a female driver, or even because I dance. Please follow up with me on this matter, as soon as possible.

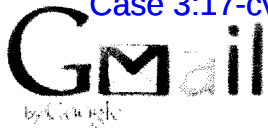
Thank you,

Patricia Callins, code 359023

7/19/2015

Gmail - Patricia Callins -Swift Walmart complaint

Case 3:17-cv-01975-C-BN Document 18 Filed 10/03/17 Page 21 of 26 PageID 244



I Callins <ipc2u2@gmail.com>

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## Patricia Callins -Swift Walmart complaint

1 message

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I Callins <ipc2u2@gmail.com>

Sun, Jul 19, 2015 at 6:49 PM

To: naseer.duncan@eeoc.gov

Mr. Duncan, I have attached a list of names of Swift drivers who also share much concern about unfair treatment



names for complaints.docx

12K

To: Naseer Duncan, naseer.duncan@ eeoc.gov phone 214 253-2781

From: Patricia Callins, [ipc2u2@gmail.com](mailto:ipc2u2@gmail.com) phone 817 902-9962

Agency charge number 846-2015-31710 for Swift Transportation

Agency charge number 450-2015-03175 for Walmart

These Swift Drivers are aware of EEOC intervention and have permitted me to exchange their phone information to you for possible interview of their work relations.

Name	Phone	Sex	Race	Complaint
Brenetta (last name unknown)	817 703-6508	Female	Blk. Amer.	Resent termination
Duke (last name unknown)	817 714 2645	Male	Blk.	Resent complaints
Cris (last name unknown)	214 966-3050	Male	Race Unknown	Resent complaints
Alvin (last name unknown)	214 966-4550	Male	Blk Amer.	Resent complaints
Andrew (last name unknown)	817 271-0563	Male	Blk. Amer.	Resent complaints
James (last name unknown)	469 274-6044	Male	Blk. Amer.	Resent complaints
Floyd (last name unknown)	682 551-4922	Male	Blk. Amer.	Resent complaints

(Recently Floyd just shared w/ me that certain night shift personnel had disparaging words to say about me)

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Patricia I. Callins  
4725 Forbes Court  
Fort Worth, TX 76105

From: Dallas District Office  
207 S. Houston St.  
3rd Floor  
Dallas, TX 75202

☐ On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

450-2015-03175

Sandra C. Taylor,  
Enforcement Supervisor

(214) 253-2877

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

- ☒ More than 180 days have passed since the filing of this charge.
- ☐ Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.
- ☒ The EEOC is terminating its processing of this charge.
- ☐ The EEOC will continue to process this charge.

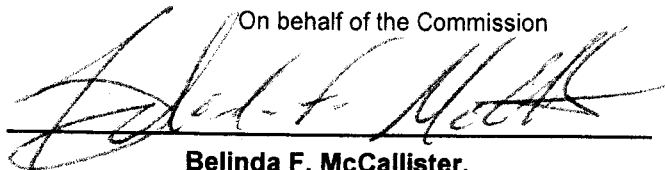
**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

- ☐ The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice**. Otherwise, your right to sue based on the above-numbered charge will be lost.
- ☐ The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Belinda F. McCallister,  
Acting District Director

5/26/17

(Date Mailed)

Enclosures(s)

cc: Dorothy Young, Attorney  
LITTLER MENDELSON, PC  
(WAL-MART)  
2301 McGee Street, 8<sup>th</sup> Fl.  
Kansas City, MO 64108

**NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)**

To: **Patricia I. Callins**  
**4725 Forbes Court**  
**Fort Worth, TX 76105**

From: **Dallas District Office**  
**207 S. Houston St.**  
**3rd Floor**  
**Dallas, TX 75202**

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

**846-2015-31710****Sandra C. Taylor,**  
**Enforcement Supervisor****(214) 253-2877**

(See also the additional information enclosed with this form.)

**NOTICE TO THE PERSON AGGRIEVED:**

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

☒

More than 180 days have passed since the filing of this charge.

☐

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

☒

The EEOC is terminating its processing of this charge.

☐

The EEOC will continue to process this charge.

**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

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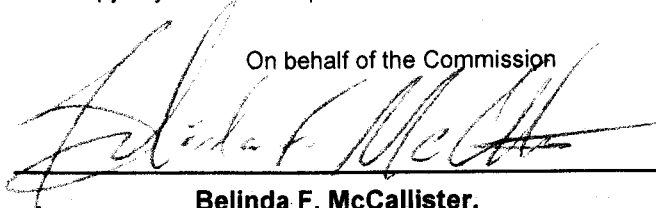
☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

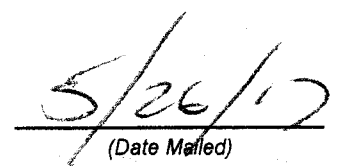
**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



**Belinda F. McCallister,**  
**Acting District Director**

  
(Date Mailed)

Enclosures(s)

CC: **Felicia G. Ollis**  
**Human Resources Leader**  
**(SWIFT)**  
**2200 S. 75th Avenue**  
**Phoenix, AZ 85043**



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**DISMISSAL AND NOTICE OF RIGHTS**

To: **Patricia I. Callins**  
**4725 Forbes Court**  
**Fort Worth, TX 76105**

From: **Dallas District Office**  
**207 S. Houston St.**  
**3rd Floor**  
**Dallas, TX 75202**

☐

On behalf of person(s) aggrieved whose identity is  
**CONFIDENTIAL (29 CFR §1601.7(a))**

EEOC Charge No.

EEOC Representative

Telephone No.

**450-2017-03606**

**Jamila Mims,**  
**Investigator**

**(214) 253-2819****THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☒

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Enclosures(s)

**Belinda F. McCallister,**  
**Acting District Director**

**7/27/17**  
 (Date Mailed)

cc:

**Felicia G. Ollis**  
**HR Manager**  
**SWIFT TRANSPORTATION COMPANY**  
**2200 S 75th Ave**  
**Phoenix, AZ 85043**

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: October 3, 2017

Signature of Plaintiff



Printed Name of Plaintiff

Patricia I. Callins

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address